

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
John Newlin

Serial No.: 09/680,126
Filed: October 3, 2000

For: *Debugging Apparatus and Method for
Systems of Configurable Processors*

Confirmation No. 6144

Examiner: Steelman, Mary J.
Art Unit: 2122

Atty. Docket No. 083818-0269851
TEN-007

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via facsimile to (703) 872-9306, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22212-1450 on Aug. 24, 2004.

By

Bobbie Juras
Bobbie Juras

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT AND
PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants' attorney respectfully requests withdrawal of abandonment for the above-identified application for the following reasons:

A final office action was mailed on December 3, 2003 to which Applicants' attorney timely submitted an Amendment under 37 CFR §1.116 on March 3, 2004. According to 37 CFR § 1.113, a proper reply to a final rejection may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal; or (3) a timely filed Request for Continued Examination (RCE).

The statutory period for a timely filed reply or RCE expired on June 3, 2004. However, no communication from the Patent Office regarding Applicants' timely filed Amendment was received prior to that deadline.

John Newlin et al.
09/680,126
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Petition
083818-0269851

A status inquiry to PAIR showed that the file was marked lost on May 26, 2004, marked found on July 19, 2004, and that Applicants' timely filed Amendment was not forwarded to the Examiner until July 23, 2004, which was past the statutory period for reply.

On August 10, 2004, during a telephone conversation with the Examiner, we were informed that the file had not been entered into her amendment list, and that she did not anticipate working on the file for at least two to four weeks after she received it. At that time, a request was made for her to contact us when she received the file so that if a Notice of Allowance was not going to be issued, we could receive the Advisory Action by facsimile, and file an appropriate paper on the same day to avoid abandonment.

An Advisory Action was mailed on August 10, 2004, which indicated that Applicants' timely filed Amendment would not be entered.

Applicants' attorney requests that any fees for this paper be waived.

Should the Petitions Branch reject the Request to Withdraw Holding of Abandonment, Applicants' attorney herewith Petitions to revive the application. Abandonment of the application was unintentional for the reasons specified above.

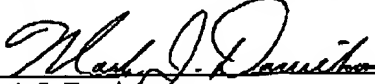
This paper is accompanied by a Request for Continued Examination, which is Applicants' preferred response to the Advisory Action, and which seeks to have the Amendment filed March 3, 2004 entered.

If any issues remain which may be resolved through a telephone interview, please contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge any required fee(s) or credit any overpayment(s) to our deposit account no. 50-2213 (order no. 083818-0269851).

Respectfully submitted,
PILLSBURY WINTHROP LLP

Date: August 24, 2004


Mark J. Danielson

(650) 233-4777

Please reply to customer no. 27,498

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Reg. No.